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Dated: \_\_\_\_\_

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE <u>DECLARATION FOR PATENT APPLICATION</u>

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is described and claimed and for which a patent is sought on the invention entitled:

#### CLK -PEPTIDE AND SLK- PEPTIDE

the specification of which was filed on February 18, 2004 as Application No. 10/782,728.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein. I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigned more than twelve months prior to this application.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

#### FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

x no such foreign applications have been filed	
such foreign application have been filed as follows:	

Attorney Docket No.: 05986/100M227-US1

### EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

OIPE CApplication Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
JUL 0 8 2004 B			Yes No
			Yes No
TRADEMENT			Yes No

## ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing

#### CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any Uni	ted
States provisional patent application(s) listed below:	

	no	such	U.S.	provisional	applications	have	been	filed.
				1	11			

$\mathbf{x}$	such U.S. provisiona	l application have	been filed as follows:
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Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/449,250	02/20/2003	x Yes No
		Yes No
		Yes No

#### CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney Docket No.: 05986/100M227-US1

and out to the control of approximation	ns have been filed.	
such U.S./PCT application ha	ave been filed as follo	ws:
••		
Application Number	Date of Filing	Status (Patented/Pending/Abandoned)
Application Number	Date of Filing	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the practitioners under Customer Number

#### 07278

jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to S. Peter Ludwig, whose address is:

**Darby & Darby P.C.**P.O. Box 5257
New York, New York 10150-5257

Please direct telephone calls to: S. Peter Ludwig at (212) 527-7770.

Please direct facsimiles to: (212) 753-6237

Attorney Docket No.: 05986/100M227-US1

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Fourth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	



Docket No.: 05986/100M227-US1

Confirmation No.:

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Peter C. Brooks et al.

Application No.: 10/782,728

Filed: February 18, 2004 Art Unit: N/A

For: CLK -PEPTIDE AND SLK- PEPTIDE Examiner: Not Yet Assigned

### **DECLARATION PURSUANT TO 37 C.F.R. 1.821(f)**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

- I, Flynn Barrison, declare as follows:
- 1. That the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. 1.821(c) and (e), respectively, and PCT Rule 5.2, are the same in compliance with 37 C.F.R. 1.821(f).
- 2. That all statements made herein of my own knowledge are true and that all statements were made on information and belief and are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: July 8, 2004

Respectfully submitted,

Flynn Barrison

Registration No.: 53,970

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